

**EXPEDITED PROCEDURE**  
**RESPONSE UNDER 37 C.F.R. §1.116**  
**EXAMINING GROUP ART UNIT 1631**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Stavrianopoulos et al.

Serial No.: 08/486,070

Filed: June 7, 1995

For: **ARRAYS AND SYSTEMS COMPRISING  
ARRAYS FOR GENETIC ANALYSES  
AND OTHER APPLICATIONS**  
(As Previously Amended)

Group Art Unit: 1631

Examiner: Ardin H. Marschel,  
Ph.D.

527 Madison Avenue, 9th Floor  
New York, New York 10022  
November 8, 2002

**FILED VIA FACSIMILE**  
**703-746-4991**

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

*FAX received  
AM, 11-8-02*

**REQUEST UNDER 37 C.F.R. §1.129(a) FOR WITHDRAWAL  
OF THE FINALITY OF THE OCTOBER 10, 2001 OFFICE ACTION**

Dear Sirs:

Pursuant to the provisions of 37 C.F.R. §1.129(a), Applicants hereby request withdrawal of the finality of the October 10, 2001 Office Action issued in connection with the above-identified application. This Request follows Applicants' September 4, 2002 Communication To Transmit The Declaration Of Dr. James G. Wetmur, and it also follows the September 5, 2002 interview and Interview Summary.

11/18/2002 TPLUNKET 00000001 051135 00486070

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Enz-7(P)(C3)

Jannis G. Stavrianopoulos et al.

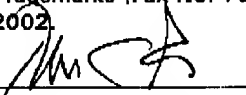
Serial No.: 08/486,070

Filed: June 7, 1995

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October 10, 2001 Office Action -- November 8, 2002]

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this paper (Request Under 37 C.F.R. §1.129(a) For Withdrawal Of The Finality Of The October 10, 2001 Office Action) (along with any documents referred to as attached or enclosed) is being facsimile transmitted to the United States Patent and Trademarks (Fax No. 703-746-4991) on November 8, 2002.

  
Ronald C. Fedus  
Reg. No. 32,567

Nov 8 2002  
Date

Jannis G. Stavrianopoulos et al.

Serial No.: 08/486,070

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Page 3 [Request Under 37 C.F.R. §1.129(a) For Withdrawal Of The Finality Of The  
October 10, 2001 Office Action -- November 8, 2002]

Applicants responded to the October 10, 2001 Office Action by filing their Amendment Under 37 C.F.R. §1.116 in which claims 718-1265 were canceled in favor of new claims 1266-1575. On June 17, 2002, Applicants filed a Supplemental Amendment in which new claims 1576-2142 were added in place of claims 1266-1575. It is hereby requested that claims 1576-2142 -- and no other claims -- be entered at this time pursuant to Applicants' June 17, 2002 Supplemental Amendment.

The fee for filing this Request under the provisions of 37 C.F.R. §1.17(r) is \$740.00. The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for the requisite fee of \$740.00 set forth in 37 C.F.R. §1.17(r). No other fee or fees are believed due in connection with this filing. In the event that any other fee or fees are due, however, the Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for any such other fee(s), or to credit any overpayment thereto.

A DUPLICATE copy of this sheet is enclosed.

Respectfully submitted,



Ronald C. Fedus  
Registration No. 32,567  
Attorney for Applicants

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(formerly Enzo Diagnostics, Inc.)  
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*facsimile cover letter*

**date:** Novemer 8, 2002 (1:30 P.M.)  
**name:** Examiner Ardin H. Marschel, Ph.D. (Group Art Unit 1631)  
**organization:** United States Patent and Trademark Office  
**fax number:** 703-746-4991  
**from:** Ronald C. Fedus, Esq.  
U.S. Patent Application Serial No. 08/486,070  
Stavrianopoulos et al. (inventors)  
Filed: June 7, 1995  
**re:** Our Ref.: Enz-7(P)(C3)  
**number of pages**  
**(includes cover sheet):** 8

*If transmission is incomplete or illegible, please call (212) 583-0100 or FAX (212) 583-0150 as soon as possible.*

**IMPORTANT!**

**UPON RECEIPT, KINDLY DELIVER THIS SHEET AND THE  
ACCOMPANYING SIX (6) PAGES FOR FILING TO:**

**EXAMINER ARDIN H. MARSCHEL, Ph.D.,  
GROUP ART UNIT 1631.**

**THANK YOU.**

Dear Dr. Marschel:

Accompanying this sheet is our Request Under 37 C.F.R. §1.129(a) For Withdrawal  
Of The Finality Of The October 10, 2001 Office Action.

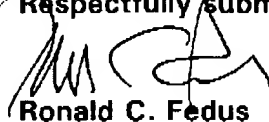
Kindly enter this 1.129(a) Request and claims 1576-2142 from Applicants' June  
17, 2002 Supplemental Amendment.

Examiner Ardin H. Marschel, Ph.D. (Gr up Art Unit 1631)  
United States Patent and Trademark Office  
November 8, 2002  
Page 2 [U.S Pat. Appl. S r. No. 08/486,070, Filed June 7, 1995]

Please do not hesitate to contact me if you have any questions or comments, or if any further information is required.

Thank you.

Respectfully submitted,



Ronald C. Fedus  
Registration No. 32,567  
Attorney for Applicants

Accompanying enclosure for filing (6 pages)